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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BRIAN SCIARA,  
  
Plaintiff,  
  
v.  
  
STEPHEN CAMPBELL,  
  
Defendant.

CASE NO.: 2:18-cv-01700-RFB-CWH

**STIPULATION TO STAY CERTAIN  
PROCEEDINGS PENDING CONTINUED  
SETTLEMENT DISCUSSIONS**

Plaintiff Brian Sciara (“Sciara”) and defendant Stephen Campbell (“Campbell”) stipulate and agree as set forth in paragraphs 1 - 12 below, and respectfully request that the Court enter an order thereon. This stipulation is made with reference to the following background facts: On March 20, 2019, the parties entered into a stipulation, and the Court entered an order thereon, staying the pendency of this case (the “Nevada Case”) and its related Arizona case, Case No. 2:19-cv-01349-PHX-DJH (the “Arizona Case”), up and until the parties’ mediation to be held April 24, 2019. ECF Nos. 25, 26 and 27. A mediation was conducted by the Honorable Carl W. Hoffman,, Jr. on that date. This stipulation and request for order is a result of the mediation held on April 24, 2019.

1           1.       **Valuation Experts.** Sciara and Campbell (collectively, the “Parties”) will each  
2 identify and retain business valuation expert(s) (the “Expert” or “Experts”)<sup>1</sup> within **fourteen (14)**  
3 **calendar days** of April 26, 2019, or no later than May 10, 2019;

4           2.       **Required Exchange of Documents.** The Experts shall identify what documents  
5 or records they will require in order to reach their requested opinions within **ten (10) calendar**  
6 **days** of being identified by the Parties, or no later than **May 20, 2019**. As part of the Experts’  
7 identification of documents and records, Sciara and Campbell shall each give a written  
8 statement, under oath, that identifies all personal and business bank accounts over which they  
9 have possession, custody, or control during the times relevant to this case;

10          3.       **Receipt of Required Documents.** The Experts will receive the identified  
11 documents and records from either Sciara or Campbell within **ten (10) calendar days** of  
12 submitting their lists of required documents and records, or no later than **May 30, 2019**. The  
13 Experts shall be entitled to receive the same set of documents and records from both Sciara and  
14 Campbell and shall work from that set of documents, only in forming their opinions;

15          4.       **Disputes regarding Required Documents.** After counsel for the Parties attempt  
16 to resolve any dispute(s) by telephone conference, unresolved disputes arising between the  
17 Parties and/or the Experts regarding the requested documents or records shall be presented to the  
18 settlement judge, the Honorable C.W. Hoffman, Jr., for resolution by letter brief;

19          5.       **Expert Reports.** The Experts shall prepare written reports, based upon their  
20 review of the documents exchanged pursuant to Paragraphs 2 and 3 above as well as any  
21 pleadings filed in the Nevada and Arizona cases, all transcripts from any deposition taken in the  
22 Nevada Case, all declarations filed in the Nevada Case, describing their opinions within **thirty**  
23 **(30) calendar days** of receiving the documents and records from Sciara and Campbell, or no  
24 later than **July 1, 2019**. After the Experts complete their written reports, the Experts will share  
25 their reports with the Parties and each other on that same date, or **Monday, July 1, 2019**;

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27 <sup>1</sup>The Parties recognize that these Experts will be initially deemed consulting experts for purposes of settlement only  
28 though each Party has the right designate their own Expert as a testifying expert for trial purposes. Each Party’s  
final expert report will not be discoverable after these settlement discussions unless that party designates his expert  
as a testifying expert at trial.

1           6.       **Required Conference regarding Expert Reports.** After receiving the Experts'  
2 written reports, the Experts will have **five (5) calendar days**, or no later than **Monday, July 8,**  
3 **2019**, to confer to determine if they can agree on the valuations of (1) Sprout Financial, LLC,  
4 and its alleged subsidiaries/affiliates, and (2) the alleged damages Mr. Sciara has caused Sprout  
5 Financial, LLC, and its alleged subsidiaries/affiliates from August 31, 2018, to present;

6           7.       **Court Conference.** If the Parties cannot reach a settlement based upon the  
7 Experts' opinions, the Parties shall submit the Experts' reports to the Court and the Honorable  
8 C.W. Hoffman, Jr. and the Parties will reconvene on **July 19, 2019, at 9:00AM** in the Honorable  
9 C.W. Hoffman, Jr.'s chambers to determine the possibility of settlement. The parties must  
10 submit a joint status report to the Honorable C.W. Hoffman, Jr. by facsimile at 702-464-5581 by  
11 **July 5, 2019** in advance of these settlement discussions;;

12           8.       **Consent to Trial by Magistrate Judge.** If no settlement is reached, the  
13 parties agree that they will each file consent to trial by magistrate judge;

14           9.       **Stay of All Proceedings.** Through the pendency of this settlement process, all  
15 proceedings in the matter before this Court, with the exception of resolution of Campbell's  
16 Motion to Dismiss (ECF No. 5), as well as all the proceedings in the matter before the U.S.  
17 District Court for the District of Arizona shall be stayed;

18           10.      **Resetting Discovery Dates.** Discovery dates will be reset after the conclusion of  
19 this settlement process based upon remaining discovery time under the Parties' stipulation dated  
20 March 20, 2019; and

21           11.      This stipulation is offered in good faith and not for the purpose of delay.

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12. **Confidentiality.** Throughout the pendency of this settlement process, all settlement communications, documents, records, and reports shall remain confidential.

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IT IS ORDERED that the parties' stipulation (ECF No. 29) is GRANTED in part and is DENIED in part. It is denied to the extent the parties seek to stay the Arizona case. The parties are directed to file a stipulation to stay in the Arizona case. The stipulation is granted in all other respects.

  
UNITED STATES MAGISTRATE JUDGE

DATED: May 1, 2019

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